

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for November 23, 2005 PLANNING COMMISSION MEETING

P.A.S. Comprehensive Plan Conformance No. 05014
Stone Bridge Creek conservation easement.

PROPOSAL: Request to find the acquisition of a permanent conservation easement over Outlot "B" Stone Bridge Creek 8th Addition and on a portion of Lots 46, 47, 49 & 50 Irregular tracts is in conformance with the Comprehensive Plan.

LOCATION: Southeast corner of N. 14th St. and Humphrey Ave.
Southwest corner of N. 27th St. and Arbor Rd.

LAND AREA: N. 14th St. and Humphrey Ave is 7.66 acres, more or less.
N. 27th St. and Arbor Rd. is 13.89 acres, more or less.

CONCLUSION: Acquisition of the conservation easement by the City of Lincoln is in conformance with the Comprehensive Plan and supports several goals of the Plan.

<u>RECOMMENDATION:</u>	In conformance with the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Outlot "B" Stone Bridge Creek 8th Addition, located in the west half of Section 36, Township 11 North, Range 6 East, Lancaster County, Nebraska and a portion of Lots 46, 47, 49 & 50 Irregular Tracts located in the SE 1/4 of Section 25, Township 11 North, Range 6 East, Lancaster County, Nebraska.

EXISTING ZONING: AG, Agricultural; R-3, Residential; and I-3, Industrial

EXISTING LAND USE: Open space

SURROUNDING LAND USE AND ZONING:

N.14th St. and Humphrey Ave.

North:	R-3, Residential	Single family
South:	R-3, Residential	Undeveloped, approved for single family
East:	R-3, Residential	Undeveloped, approved for single family
West:	R-3, Residential	Undeveloped, approved for single family

N. 27th St. and Arbor Rd.

North:	AG, Agricultural	Open space
South:	I-3, Industrial	Undeveloped
East:	AG, Agricultural	Open space
West:	AG, Agricultural	Open space
	I-3, Industrial	Undeveloped

HISTORY:

June 23, 2004 Stone Bridge Creek 1st Addition Preliminary Plat was approved by the Planning Commission

August 27, 2001 Stone Bridge Creek Preliminary Plat was approved by City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

Green Space: Areas predominantly used for active recreational use, such as parks, golf courses, soccer or ball fields, and trails. Green space areas may be either public or privately owned. While some isolated environmentally sensitive features may be within these areas, they are predominantly for active recreation, with some passive recreation uses also possible. (F 22)

Two *of the Emerging Regional Planning Issues are* identified:

Conservation and protection of environmental and natural systems. (F 4)

Cooperative planning of water resource management. (F 4)

Guiding Principles for the Urban Environment include:

Streams, trees, open space, and other environmentally sensitive features should be preserved within new development as design standards allow. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance. (F 18)

Environmental Resource Features represent an important part of today's urban and rural landscapes. Such features need to be valued and sustained as part of the overall planning process if they are to remain as vital parts of the natural heritage left for succeeding generations. (F 52)

Floodplains: This feature refers to land that is susceptible to flooding or that has flood prone soils. Floodplains provide multiple benefits to both the natural (flood storage, habitat, water quality) and built (recreation, public health and safety, economic) environments. (F 53)

Urban Forest: This feature refers to the trees and other woody plants that have been planted or grow naturally within the limits of the communities in Lancaster County. Though many may not consider the urban forest to be part of the "natural environment," it represents a significant community investment - exemplified in Lincoln being a "Tree City" - with its elimination or neglect having substantially detrimental consequences. (F 54)

One of the **Core Resource Imperatives** was selected from the Environmental Resource Features as those that should receive the greatest consideration in the long range planning process. (F 54)

Riparian, Floodplains, and Stream Corridors: Streams and their adjoining corridors snake their way through much of Lancaster County. Throughout the region, surface water runoff flows into these stream corridors that typically consist of floodplains and riparian areas. These are instrumental in providing habitat and water infiltration benefits, along with serving as connectors to natural areas. (F 55)

The purpose of the **Greenprint Challenge** is to assure the long term health and integrity of the ecosystem upon which Lancaster County is superimposed, and to capture the community-wide quality of life and economic benefits that can be derived from the area's environmental resource features. (F 55)

The **Greenprint Challenge: Implementation Strategies** include:

Investigate the possible use of easements (e.g., conservation, preservation, public access, etc.),...to manage land with environmental resource interest. (F 64)

ANALYSIS:

1. The Nebraska Conservation and Preservation Easement Act (NEB. REV. STAT. §§ 76-2,111 to 76-2,118) requires that the acquisition of conservation easements be referred to the local planning commission having jurisdiction over the properties for approval prior to the acquisition. The Planning Commission must make a recommendation to the City Council "regarding the conformity of the proposed acquisition to comprehensive planning for the area," (NEB. REV. STAT. §76-2,112).
planning commission action regarding conformance to the Comprehensive Plan is final. The City Council will then either accept or deny the easement.
2. The purpose of this Comprehensive Plan Conformity report is to determine whether these permanent conservation easements are in conformance with the 2025 Comprehensive Plan.
3. The applicant's letter states that the conservation easements are being requested to fulfill the conditions of a U.S. Army Corps of Engineers Section 404 permit for wetland mitigation.
4. The City of Lincoln can accept the conservation easement after the Planning Commission determines the easement conforms to the Comprehensive Plan.
5. The easement would restrict the use of the easement area to open space to protect and preserve the wetlands that occur on the land, to protect other water resources and biological resources of the wetlands, and to restrict development and future use of the Easement Area that will significantly impair or interfere with the open space values and wetlands within the Easement Area.

CONDITIONS:

1. Change the legal description of Outlot B, Stone Bridge Creek 8th Addition to a metes and bounds that matches the future right of way of N 14th St. and Humphrey Ave.

Prepared by:

Tom Cajka
Planner

DATE: November 10, 2005

APPLICANT: Stone Bridge Creek LLC
3801 Union Drive Suite 102
Lincoln, NE 68516
(402) 438-4014

OWNER: same as applicant

CONTACT: Richard Onen
Engineering Design Consultants
2200 Fletcher Ave. Suite 102
Lincoln, NE 68504
(402) 438-4014

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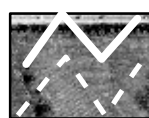
Comp. Plan Conformance #05014 N 14th St & Humphrey Ave

2005 aerial

Zoning:

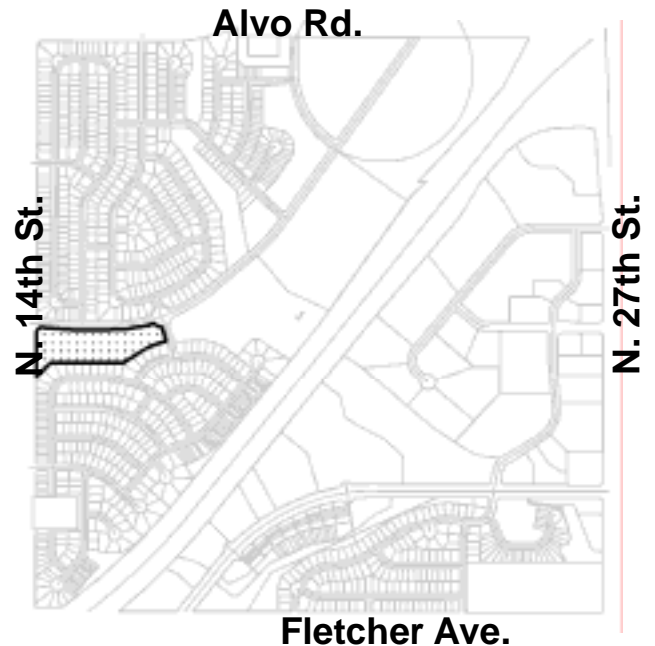
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

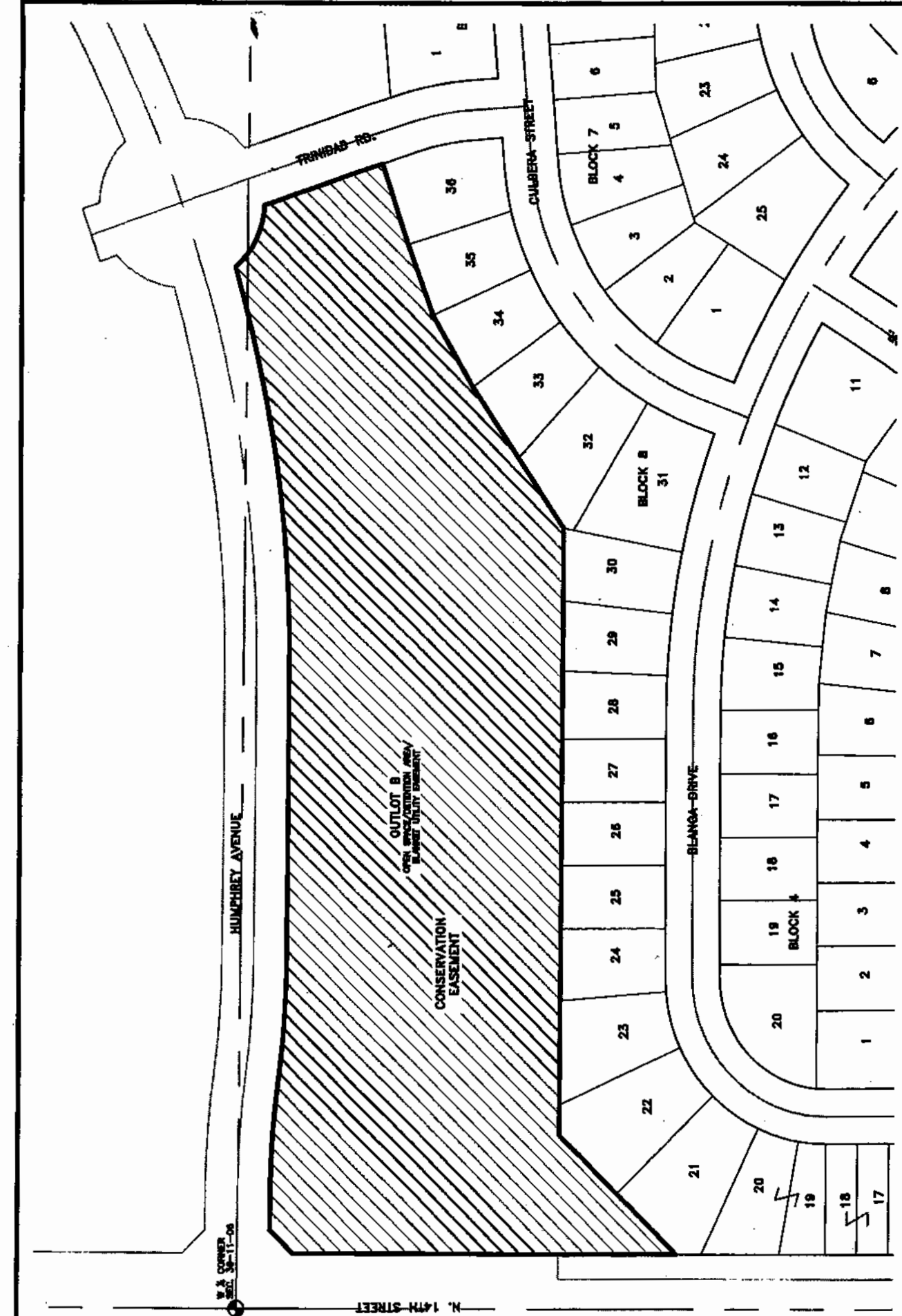
One Square Mile
Sec. 36 T11N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction





STONE BRIDGE CREEK 8TH ADDITION CONSERVATION EASEMENT EXHIBIT LINCOLN, NEBRASKA

Drawn By: NLP
 Dwg.: conservation esmt
 Date: 10/21/05
 Job#: 03-083



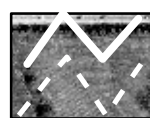
2005 aerial

Comp. Plan Conformance #05014 N 27th St & Arbor Rd

Zoning:

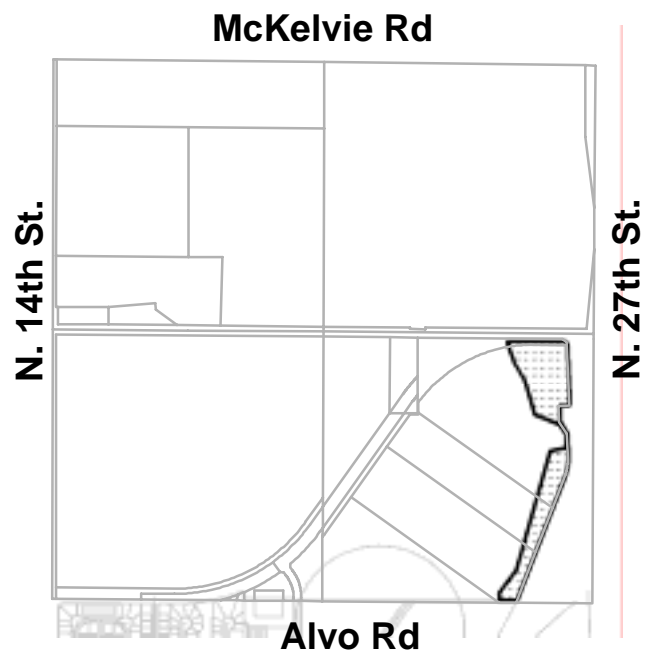
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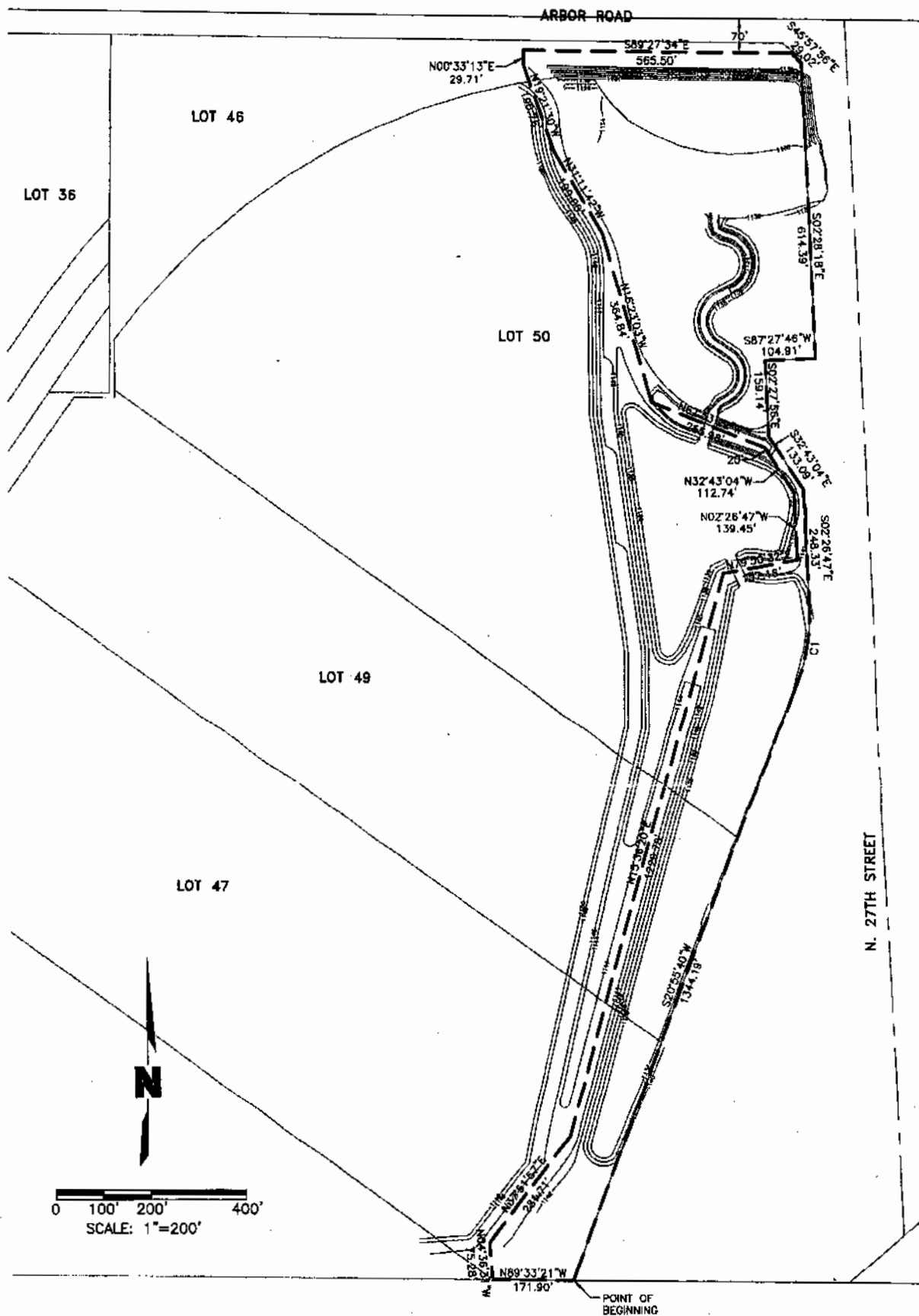
One Square Mile
Sec. 25 T11N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction





CURVE TABLE

CURVE	DELTA	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	23°23'37"	155.97'	381.99'	S09°12'13"W	154.88'



2200 Parker Ave. Suite 102 Lincoln, NE 68502
402-438-4014 Fax 402-438-5028

STONE BRIDGE CREEK WETLANDS
WETLANDS EASEMENT EXHIBIT

LINCOLN, NEBRASKA

Drawn By: NLP
Dwg.: wetlands esmt
Date: 07/11/05

SHEET
1 OF 2

LEGAL DESCRIPTION

A WETLANDS EASEMENT LOCATED IN LOTS 46, 47, 49 & 50 SITUATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 47; THENCE ON THE SOUTH LINE OF SAID LOT 47, N89°33'21"W, 171.90 FEET; THENCE N04°36'31"W, 75.28 FEET; THENCE N37°51'57"E, 281.71 FEET; THENCE N15°36'20"E, 1,229.78 FEET; THENCE N79°50'32"E, 157.18 FEET; THENCE N02°26'47"W, 139.45 FEET; THENCE N32°43'04"W, 112.74 FEET; THENCE N67°53'22"W, 255.98 FEET; THENCE N16°23'03"W, 364.84 FEET; THENCE N31°11'42"W, 199.06 FEET; THENCE N19°21'30"W, 190.76 FEET; THENCE N00°33'13"E, 29.71 FEET; THENCE S89°27'34"E, 565.50 FEET; THENCE S45°57'56"E, 29.02 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTH 27TH STREET; THENCE ON SAID WEST RIGHT-OF-WAY LINE FOR THE NEXT 7 COURSES, S02°28'18"E, 614.39 FEET; THENCE S87°27'46"W, 104.91 FEET; THENCE S02°27'56"E, 159.14 FEET; THENCE S32°43'04"E, 133.09 FEET; THENCE S02°26'47"E, 248.33 FEET; THENCE SOUTHERLY ON A 381.99 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 155.97 FEET (LONG CHORD BEARS S09°12'13"W, 154.88 FEET); THENCE S20°55'40"W, 1,344.19 FEET TO THE POINT OF BEGINNING, CONTAINING 605,256.27 SQUARE FEET (13.89 ACRES) MORE OR LESS.

RECEIVED

OCT 26 2005

CITY CLERK
LINCOLN, NE



STONE BRIDGE CREEK WETLANDS
WETLANDS EASEMENT EXHIBIT
LINCOLN, NEBRASKA

Drawn By: NLP
Dwg.: wetlands esmt
Date: 07/11/05
Job#: 03-043

SHEET
2 OF 2

Memorandum

To: Tom Cajka, Planning Department

From: Chad Blahak, Public Works and Utilities

Subject: Conservation easement at 14th & Humphrey

Date: November 8, 2005

cc:

Engineering Services has reviewed the submitted documents for the proposed conservation easement, located on the southeast corner of 14th Street and Humphrey Avenue, and has the following comments:

- 1 The plans for North 14th Street in this area are currently under design. Any addition ROW in 14th or Humphrey that may be required as a result of these plans should be obtained prior to the dedication of the easement.

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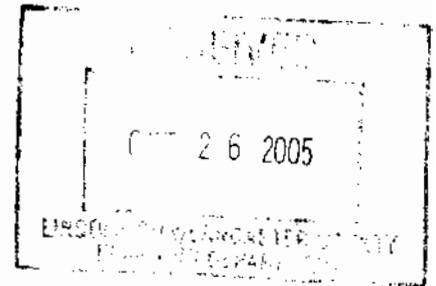
Engineering Design Consultants

2200 Fletcher Ave.
Suite 102
Lincoln, NE 68521
Ph 402-438-4014
Fx 402-438-4026

October 24, 2005

Tom Cajka
Lincoln-Lancaster County Planning Department
555 S 10th Street, Suite 213
Lincoln, NE 68508

RE: Stone Bridge Creek Wetlands
Conservation Easement
EDC Job No. 04-043-020



Dear Tom,

On behalf of Stone Bridge Creek, L.L.C. we request conservation easements be dedicated on Outlot B of Stone Bridge Creek 8th Addition and on a portion of Lots 46, 47, 49 & 50 located in the Southeast Quarter of Section 25, Township 11 North, Range 6 East of the 6th p.m. Please schedule this request to Planning Commission to determine conformance with the Comprehensive Plan.

These easements are being requested to fulfill the conditions of a U.S. Army Corps of Engineers Section 404 Permit for wetland mitigation. Enclosed is a draft copy of the easements and exhibits showing the location of the easements. For simplicity, the easement over Outlot B is being requested on the entire outlot. If necessary, a metes and bounds legal description for the easement will be supplied at your request.

Please contact me if you have any questions.

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.

Richard P. Onnen, P.E.
Project Manager

c: Bob Lewis, Hampton Development Services
Matt Wray, USACE
Gerald Hentges, Terracon